

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of:
RABINDRANATH DUTTA ET AL.

Serial No.: **09/535,581**

Filed: **27 MARCH 2000**

Title: **DETECTING COPYRIGHT
VIOLATION VIA STREAMED
EXTRACTION AND SIGNATURE
ANALYSIS IN A METHOD, SYSTEM
AND PROGRAM**

Attorney Docket No.: **AUS990891US**

Examiner: **ELISCA, PIERRE EDDY**

Group Art Unit: **3621**

REPLY BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Sir:

This Reply Brief is submitted in support of the Appeal in the above-identified application.

CERTIFICATE OF MAILING
37 C.F.R. § 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service on the below listed date with sufficient postage for first class mail in an envelope addressed to: **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Date: June 27, 2003

By: Shenise Ramdeen

Signature of Shenise Ramdeen

RELATED APPEALS AND INTERFERENCES

In paragraph 2 of the Examiner's Answer, the Examiner states that Appellants' Appeal "brief does not contain a statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal." Appellants wish to point out that their Appeal Brief does contain the statement that "No appeals or interferences known to Appellant, Appellant's legal representative, or assignee will directly affect or be directly affected by or have a bearing on the Board's decision in the present Appeal." Appellants continue to represent that their statement is accurate.

STATUS OF AMENDMENTS AFTER FINAL

In paragraph 4 of the Examiner's Answer, the Examiner states that the "amendment after final rejection filed on 1/27/2003 has been entered." While Appellants did file a response to the Examiner's final office action on 1/16/2003, that response contained no amendments to the claims. Thus, Appellants disagree with the Examiner's statement that an after-final amendment was entered, as such was not even filed.

ARGUMENT

I. The Examiner's rejections of the claims in Group I should be reversed because the combination of references does not teach comparing electronic distillations of different data, wherein the electronic distillations are each incapable of reconstructing data by direct decipherment.

The Examiner's Answer does not raise any new grounds for rejection in his Answer, nor does he directly respond to the arguments of Appellants' Appeal Brief. Specifically, the Examiner continues to fail to address Appellants' position that the prior art does not teach or suggest the use of a distillation of data "that is incapable of reconstructing said original copyright material by direct decipherment." Rather, the Examiner continues to equate digital signatures, such as taught by *Tsuria et al.* U.S. Patent No. 6,466,670, with data distillations. Appellants refer the Board to their Appeal Brief for a discussion of the distinctions and differences between these two features.

II. The Examiner's rejections of the claims in Group II should be reversed because the combination of references does not teach visually comparing electronic distillations of different data, wherein the electronic distillations are each incapable of reconstructing data by direct decipherment.

The Examiner's Answer continues to fail to address the issue of whether the prior art teaches or suggests visually examining electronic distillations. Appellants respectfully refer the Board to Appellants' Appeal Brief for a discussion of the difference between the presently claimed visual comparison of data distillations and the prior art "cryptographic digest or hash" of a string of text that is manipulated by a computer's cryptographic routine, as taught by the cited *Atkinson et al.*, U.S. Patent No. 5,892,904.

III. The Examiner's rejection of Claim 24 in Group III should be reversed because the combination of references teaches away from the use of a feedback shift register to generate a non-reconstructable electronic signature.

The Examiner's rejection of Claim 25 in Group IV should be reversed because the combination of references does not teach the use of a shift register to generate a non-reconstructable electronic signature for each data segment in material.

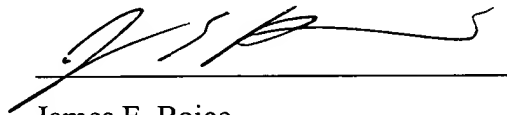
The Examiner's Answer continues to fail to address the issue that none of the cited prior art teaches or suggests the use of shift registers for generating a non-reconstructable electronic signature. Appellants respectfully refer the Board's attention to Appellant's Appeal Brief for a discussion of this issue.

IV. Conclusion

In view of the foregoing, Appellants respectfully request the Board to reverse the final rejection of each pending claim.

No additional fee is believed to be required; however, in the event an additional fee is required please charge that fee to Deposit Account No. **09-0447**.

Respectfully submitted,



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